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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,471	12/30/2003	Richard J. Melker	10457-042

CONFIRMATION NO. 3992

29847
 BEUSSE BROWNLEE WOLTER MORA & MAIRE
 390 N. ORANGE AVENUE
 SUITE 2500
 ORLANDO, FL 32801

FORMALITIES LETTER



OC000000013141551

Date Mailed: 07/02/2004

NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 06/16/2004 to the Notice to File Missing Parts (Notice) mailed 04/30/2004 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application. Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.


The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 2F, 2G, 18A-18D, 19A & 19B.

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



ifw

Serial No. 10/749,471

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Confirmation No. 3992

Applicants: Richard J. Melker et al.

Examiner: Not Assigned

Serial No.: 10/749,471

Art Unit: 3736

Filed: 12/30/2003

For: NOVEL SPECIALLY CONFIGURED NASAL PULSE
OXIMETER/PHOTOPLETHYSMOGRAPHY
PROBES, AND COMBINED NASAL PROBE/CANNULA,
SELECTIVELY WITH SAMPLER FOR CAPNOGRAPHY,
AND COVERING SLEEVES FOR SAME

BOX MISSING PARTS

Commissioner for Patents

P. O. Box 1450

Arlington, Virginia 22313-1450

RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

In response to the Notice of Incomplete Reply dated July 2, 2004, copy attached, enclosed is a copy of applicants' response filed July 6, 2004, which enclosed the drawings required by the original Notice of Missing Parts. Applicant paid a one-month extension fee in their response filed July 6, 2004, as acknowledged by the date-stamped copy of our return receipt postcard. All matters to which the latest Notice of Incomplete Reply pertains have been fully addressed. Should the Patent Office have any additional questions, applicants request that the undersigned attorney be contacted.

Respectfully submitted,

Timothy H. Van Dyke

Reg. No. 43,218

Beusse, Brownlee, Wolter, Mora & Maire P.A.

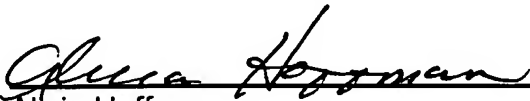
390 N. Orange Avenue, Suite 2500

Orlando, FL 32801

Phone: (407) 926-7726

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL) is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Mail Stop Missing Parts, Arlington, Virginia 22313-1450 this 22nd day of July 2004.


Alicia Hoffman



Please acknowledge receipt of our Second Response to Notice of to File Missing Parts of Application, co[y of the Notice to File Missing Parts, Request for Extension of Time, 5 sheets of drawings depicting Figs. 2F, 2G, 18A-D, 19A and 19B and our check for \$55 to cover the extension fee in re application of Richard J. Melker et al.
Serial No. 10/749,471
Due: July 30, 2004
Mailed: July 6, 2004
TVD/UF 10457-042



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Initial Application of:

Confirmation No. 3992

Applicants: Richard J. Melker et al.

Examiner: Not Assigned

Serial No.: 10/749,471

Art Unit: 3736

Filed: 12/30/2003

For: NOVEL SPECIALLY CONFIGURED NASAL PULSE
OXIMETER/PHOTOPLETHYSMOGRAPHY
PROBES, AND COMBINED NASAL PROBE/CANNULA,
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P. O. Box 1450

Arlington, Virginia 22313-1450

**SECOND RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION
FILING DATE GRANTED**

Further to applicants' response of June 7, 2004, to the Notice To File Missing Parts of Application, Filing Date Granted, mailed April 30, 2004, in which the signed Declarations, filing fee, and late surcharge were submitted, applicants are now able to provide replacement drawings for Figures 2F, 2G, 18A-D, 19A, and 19B in the application referred to above. A Petition and fee for Extension of Time accompany this paper.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Timothy H. Van Dyke".

Timothy H. Van Dyke

Reg. No. 43,218

Beusse, Brownlee, Wolter, Mora & Maire P.A.

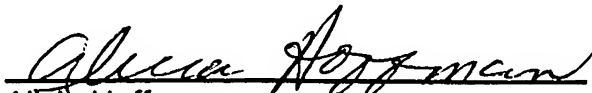
390 N. Orange Avenue, Suite 2500

Orlando, FL 32801

Phone: (407) 926-7726

CERTIFICATE OF MAILING

I HEREBY CERTIFY that this Second Response To Notice to File Missing Parts of Non-Provisional Application Filing Date Granted is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Mail Stop Missing Parts, Arlington, Virginia 22313-1450 6th day of July 2004.


Alicia Hoffman